

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION**

FIRST PROPERTY HOLDINGS, LLC  
d/b/a RIZE, *et al.*,

Plaintiffs,

v

Case No. 23-cv-00161  
Hon. Robert J. Jonker

CITY OF MENOMINEE, *et al.*

Defendants,

---

**JOINT STATUS REPORT**

The Parties to the above-captioned matter, through their respective counsel, submit the following for their Joint Status Report pursuant to Fed. R. Civ. P. 16 and the Court's January 31, 2024, Order (ECF No. 43) staying the present action pending further proceedings in state court ("[t]he parties shall file a status report with the Court on April 30, 2024, and continuing every ninety-day period thereafter, setting out the status of related state court proceedings"):

1. Status of related state court proceedings:

On October 11, 2024, Judge Mary B. Barglind issued an Order which dismissed all remaining claims in the case; however, we do not yet have a final Order closing the case as there are remaining issues including ruling on

a Motion for Reconsideration and an upcoming hearing on a Motion for Order Under MCR 3.606, which is scheduled to be heard on November 13, 2024.

- a. Remaining Claims. Pursuant to recent court rulings, there are no remaining claims.

Dated: October 28, 2024

Respectfully submitted,

/s/ Michael A. Cox  
Michael A. Cox (P43039)  
The Mike Cox Law Firm, PLLC  
*Attorneys for Plaintiff RIZE*  
17430 Laurel Park Dr. N., Ste. 120E  
Livonia, MI 48152  
(734) 591-4002  
mc@mikecoxlaw.com

/s/James A. Martone  
James A. Martone (P77601)  
Dickinson Wright PLLC  
*Attorneys for Plaintiff The Fire Station*  
2600 W. Big Beaver Rd., Ste. 300  
Troy, MI 48084  
(248) 433-7200  
jmartone@dickinsonwright.com

/s/ Charles L. Bogren (w/ permission)  
Charles L. Bogren (P82824)  
Michael S. Bogren (P34835)  
*Attorneys for Defendant Menominee*  
333 Bridge St., N.W., Ste. 530  
Grand Rapids, MI 49503  
(616) 752-4600  
cbogren@plunkettcooney.com  
[mbogren@plunkettcooney.com](mailto:mbogren@plunkettcooney.com)

/s/ Joslin Monahan (w/ permission)  
Joslin Monahan (P77362)  
Emily Palacios (P64941)  
Miller Johnson  
*Attorneys for Defendants OI and Higher Love*  
45 Ottawa Avenue SW Suite 1100  
Grand Rapids, MI 49503  
(616) 831-1700  
[monahanj@millerjohnson.com](mailto:monahanj@millerjohnson.com)

/s/ Nicholas J. Tatro (w/ permission)  
Richard S. Baron (P33798)  
Nicholas J. Tatro (P79146)  
Foley, Baron, Metzger & Juip, PLLC  
*Attorneys for Defendant Highwire Farms*  
38777 Six Mile Rd., Ste. 300  
Livonia, MI 48152  
(734) 742-1855  
[ntatro@fbmjlaw.com](mailto:ntatro@fbmjlaw.com)

/s/ Jeremy Manson (w/ permission)  
Jeremy Manson (P 76920)  
Brian E. Etzel (P54905)  
Williams, Williams, Rattner & Plunkett,  
P.C.  
*Attorneys for Defendant Rocky North, LLC*  
380 N. Old Woodward Ave., Ste. 300  
Birmingham, MI 48009  
(248) 642-0333  
[bee@wwrplaw.com](mailto:bee@wwrplaw.com)  
[JMManson@wwrplaw.com](mailto:JMManson@wwrplaw.com)

/s/ Jacqueline Langwith (w/ permission)  
Jacqueline Langwith (P79600)  
Policella, PLLC  
*Attorneys for Defendant NU Group, LLC*  
4312 E. Grand River  
Howell, MI 48843  
(517) 546-1181  
jackie@plglaw.us